

Comment:Important ERRATA:

13th line after "Comment": "...efforts to TRAIN and Certify..."

Sixth line after "Deregulation": "...meaningful PUBLIC benefit..."

Gayle R. Norberg

The proposal counters both the intent and function of the last three major

concept changes in Amateur Service rules:

1. Incentive Licensing
2. Privatization of Amateur rule and license administration
3. Federal Deregulation.

In addition, it appears to cause the FCC to apply its regulative function for

a narrow circumvention of its other rules. It also appears to counter the efforts of the self-regulating Amateur community, most notably the American

Radio Relay League, to improve the Emergency Communication service, by rendering its efforts to train and Certify Amateurs for emergency activities

irrelevant; all you have to do is live a long time.

INCENTIVE LICENSING

This concept was introduced to raise the technical level of the Amateur community by regulatorially controlling spectrum use and by showing a path of improvement for the Amateur. It also was a canonic method provided in the Communications Act of 1934 (and later laws and treaties)=20

to control growingly chaotic spectrum use . In fact, spectrum allocation and use definition are the primary tools the Commission has to meet its objectives as set in the empowering acts of Congress.

I was first licensed as Novice in 1954, under that method, and can testify to its effectiveness. Within a few years, despite attending a rigorous program at the University of Minnesota Institute of Technology, the Incentive Licensing method brought me through General Class to the Extra Class license level. It worked, to the extent that the Commission=20

found it possible to reduce the range to two levels and extend privileges to more Amateurs.

CONTRARILY, the proposed Rulemaking would substitute time-in-service as an alternative to professional improvement, a sort of "Seniority Right".

Without certification of ability like testing and education requirements,

such abridgement of FCC controls goes against its very purpose.

If anything, a perusal of the amateur allocations on a given week and a study of the Commission' s regulatory acts in recent years will show that perhaps incentive licensing has gone as far as it should.

We need not remove incentives further.

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PRIVATIZATION

The Amateur community, by its self-regulatory methods, has developed

band plans and many other tools for voluntary control. This is strong evidence that the community itself has found it useful and necessary to go beyond the limits of Commission-defined and Law-defined control, in response to the needs of technology advancement. It has even undertaken some license-renewal and issue functions that aid the Commission. Added cost there is, in net, added governance cost.

The Commission has never embraced any Seniority Rule except a negative one, the early limitation of Novice class to one year of existence.

Believe me, that limit was a great incentive to improve skills and know-how

to pass either the General Class or Technician Class Examination.

Seniority is no substitute for tested knowledge and experience.

Furthermore, the burdens of both the Commission and the private groups such as ARRL will be increased by introduction of another Class: "Been around a long time", whose only requirement is a date of first license. Even with added requirements of proof of activity, the effort of added verification and prevention of abuse of the privilege far exceeds the public

value of the grant of privilege, which should in any event not extend beyond

a minority of existing demonstrably, continuingly active Amateurs.

There are other, simple answers to the supposed benefit of the proposal; have a proven qualified licensee in control of the emergency station while it operates in limited spectra, or pass the exam yourself. One calls for organization, the other for personal improvement.

DEREGULATION:

Increasing privilege-class definitions does not foster deregulation, it complicates it, for everyone, government, individual, and administration.

Creating new alternative paths to licensing is not deregulation.

Incentive is missing from the proposal both as a government purpose and meaningful public benefit.

Privatization of regulation and administration will be burdened under the proposal. Government cost and regulatory contractor expense both will increase.

SUMMARY:

The proposal counters positive trends in regulation and operation, and fights present improvement methods, non-government functions, and natural laws of governance.

For all the reasons outlined, the proposal should not become a rule.

Gayle R. Norberg W0ORZ